

REMARKS

The present invention relates to compositions and methods for preventing or reducing cancer and hyperproliferative disorders by administering to a human or animal an effective amount of a growth factor vaccine composition. Claims 1 and 2 are withdrawn. Claim 4 has been canceled. Claims 3 and 10 are currently amended. Claims 12 and 13 have been newly added. No new matter has been added and support for the amendments can be found throughout the specification and in the claims. Claims 3 and 5-13 are currently pending.

New Claims

Support for new Claims 12 and 13 can be found, for example, on page 34, Examples 16-22 on pages 63-66 and Figures 20-26.

Rejections based on 35 U.S.C. §112, first paragraph

In the July 17, 2006 Office Action, the Examiner rejected claims 3-11 under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. In an effort to facilitate prosecution, applicants have herein amended the relevant claims.

Claims 3 has been amended to recite, “an immunogenic composition comprising and immunogenic peptide fragment wherein the immunogenic peptide fragment comprises SEQ ID NO:10. Support for this amendment can be found on page 31, lines 26-35.

In an effort to further prosecution, Claim 10 has been amended to recite, “a composition for reducing hyperproliferative disorders.” The Examiner indicated in the Office Action of July 17, 2006 on page 3, that the current specification is considered enabling for a composition comprising SEQ ID NO: 10 for reducing cancer. Cancer is one example of a hyperproliferative disorder. Therefore, applicants submit that the current specification is also sufficiently enabled for reducing hyperproliferative disorders.

For at least the foregoing reasons, applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, first paragraph.

Rejections based on 35 U.S.C. §102(b)

In the July 17, 2006 Office Action, the Examiner rejected claims 3-11 under 35 U.S.C. § 102(b) as anticipated by Holaday et al. (WO 00/53219). Both the current application and Holaday et al. are currently pending and share common inventors. A claim of priority to

Holaday et al. was unintentionally omitted in the current application. The specification is currently amended to include a reference to Holaday et al. as required by C.F.R. § 1.78(a)(2). Accordingly, a Petition to Accept an Unintentionally Delayed Claim of Priority as required by C.F.R. § 1.78(a)(3), accompanied by the appropriate surcharge under C.F.R. § 1.17(t), has been filed. A copy of the petition as filed is included herewith. Upon grant of this petition, applicants respectfully submit that Holaday et al. will no longer be a valid reference under 35 U.S.C. § 102(b), and request its withdrawal.

CONCLUSION

Applicant is of the opinion that the Office Action has been completely responded to and the application is now in condition for allowance. Such action is respectfully requested. If the Examiner believes any informalities remain the application that can be corrected by Examiner's amendment, or there are any other issues that can be resolved by telephone interview, a telephone call to the undersigned at (404) 572-2447 is respectfully solicited.

Respectfully submitted,



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